

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

REBERTO TEJADA,

Plaintiff,

-against-

COMMISSIONER OF SOCIAL SECURITY,  
et al.,

Defendants.

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 3/13/25
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24-CV-4852 (BCM)

**ORDER OF DISMISSAL**

**BARBARA MOSES, United States Magistrate Judge.**

Pro se plaintiff Reberto Tejada filed this case on June 21, 2024 against (among others) the Commissioner of Social Security. His Complaint, which was difficult to decipher, referenced events dating from 2008 to 2024, and requested the following award: "BACK PAYMENT 7.000 TAKEN 12,000 REACTIVE PAYMENT 09/10/2010 AWARD LAWSUITE 75.000 HAVE THEM PLACE ME ROOM." (Dkt. 1 at ECF p. 5.)

On September 4, 2024, plaintiff filed an amended complaint, on the form used in this District to seek review of final decisions of the Commissioner. The Amended Complaint named only the Commissioner as a defendant and sought review of an Administrative Law Judge (ALJ) decision dated February 16, 2010. (Dkt. 18 at 2.) Thereafter, the parties consented to the jurisdiction of the assigned magistrate judge. (Dkts. 26, 27.)

On October 29, 2024, the Commissioner filed a motion to dismiss this action, or, in the alternative, for summary judgment. (Dkt. 28.) On November 13, 2024 – with the motion to dismiss pending – plaintiff filed a Notice of Voluntary Dismissal pursuant to Fed. R. Civ. P. 41(a)(1)(A)(i), (Dkt. 39), which the Court so-ordered on November 19, 2024, thus closing the case. (Dkt. 40.)

Despite the termination of the case, plaintiff continued to file motions on the docket of this action. Additionally, he filed a second action in this District, which appeared to raise the same or similar claims, under docket No. 24-CV-10068.

On January 17, 2025 – it appearing that plaintiff wished to continue litigating those claims – the pleadings in the second action were refiled under this docket (Dkts. 43, 44) and the second action was closed. (*See* Dkt. 8 in 24-CV-10068.) On February 20, 2025, I ordered this case re-opened, and directed the parties as to next steps. (Dkt. 45 at 3-4.)

Most recently, by Notice of Motion dated March 10 and filed March 11, 2025, plaintiff has once again asked the Court to close this case. (Dkt. 47.) In his accompanying declaration, he points out that he previously sought the same relief, and emphatically requests to "have this docket remove from Court." (Dkt. 48 at ECF p. 2.)

The Court construes plaintiff's most recent motion as a request to dismiss this action pursuant to Fed. R. Civ. P. 41(a)(2), which permits a dismissal at the plaintiff's request but "on terms that the court considers proper." The Commissioner may respond to the motion (and may do so by letter-brief) no later than **March 18, 2025**.

Dated: New York, New York  
March 13, 2025

**SO ORDERED.**



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**BARBARA MOSES**  
**United States Magistrate Judge**